

UPDATE AND MODIFICATION of November 1, 2016

OPTION 1

A nine-member Probation Independent Oversight Commission Probation reformatted from the existing Probation Commission composed as follows:

- Each Board office to nominate one Commissioner
 - The Chief Executive Office, (CEO) solicits applications for persons-interested in serving on the Probation Independent Oversight Commission. These applications will be to fill two positions on the commission.
After receiving the applications, the Chief Executive Office will have a consultant review the applications and interview the candidates for qualification and suitability. Those applications will be ranked and the top four forwarded to the Board of Supervisors for majority approval. To fill the two positions.
 - One position will be nominated by the Presiding Judge of the Superior Court (Adult) and with a majority approval by the Board of Supervisors be appointed to the commission.
 - One position will be nominated by the Presiding Judge of the Superior Court (Juvenile) and with a majority approval by the Board of Supervisors be appointed to the commission.
1. Appointee-1st District
 2. Appointee-2nd District
 3. Appointee-3rd District
 4. Appointee-4th District
 5. Appointee-5th District
 6. Appointee- BoS Majority
 7. Appointee- BoS Majority
 8. Appointee- Nominee of the Los Angeles Superior Court Presiding Judge (Adult) approved by BoS
 9. Appointee- Nominee of the Los Angeles Superior Court Presiding Judge (Juvenile) approved by BoS

The commission as a whole is responsible for oversight of the entire department, but should be divided organizationally in two work groups. One work group would be adult and one would be juvenile, the chair would oversee both work groups.

Each work group would have primary focus for their respective discipline, (adult/juvenile) but still retain comprehensive oversight of both sides.

The reformatted Probation Commission will be authorized by the Los Angeles County Board of Supervisors to provide Civilian Independent Oversight to:

- All aspects of the Probation Department, adult and Juvenile and inclusive of policy, procedures, facilities, custody management, community services, budget, field operations, training, recruitment and hiring.
- Serve with the powers and duties of the Juvenile Justice/Delinquency Prevention Commission
- The newly reformatted Commission will select a chair person by majority vote

- The reformatted Commission will formalize its mission statement.
- The reformatted commission will draft by laws, commission policy
- The newly formatted commission will establish policy and directives for commission staff

OPTION 2

A nine-member Probation Independent Oversight Commission reformatted from the existing Probation Commission composed as follows:

- Each Board office to nominate one Commissioner
 - One position will be nominated by the Presiding Judge of the Superior Court (Adult) and with a majority approval by the Board of Supervisors be appointed to the commission.
 - One position will be nominated by the Presiding Judge of the Superior Court (Juvenile) and with a majority approval by the Board of Supervisors be appointed to the commission.
 - One position will be nominated by the District Attorney and with a majority approval by the Board of Supervisors be appointed to the commission.
 - One position will be nominated by the Public Defender and with a majority approval by the Board of Supervisors be appointed to the commission.
1. Appointee-1st District
 2. Appointee-2nd District
 3. Appointee-3rd District
 4. Appointee-4th District
 5. Appointee-5th District
 6. Appointee- Nominee of the Los Angeles Superior Court Presiding Judge (Adult) approved by BoS
 7. Appointee- Nominee of the Los Angeles Superior Court Presiding Judge (Juvenile) approved by BoS
 8. Appointee- Nominee of the Los Angeles County District Attorney and approved by BoS
 9. Appointee- Nominee of the Los Angeles County Public Defender and approved by BoS

The commission as a whole is responsible for oversight of the entire department, but should be divided organizationally in two work groups. One work group would be adult and one would be juvenile, the chair would oversee both work groups.

Each work group would have primary focus for their respective discipline, (adult/juvenile) but still retain comprehensive oversight of both sides.

The reformatted Probation Commission will be authorized by the Los Angeles County Board of Supervisors to provide Civilian Independent Oversight to:

- All aspects of the Probation Department, adult and Juvenile and inclusive of policy, procedures, facilities, custody management, community services, budget, field operations, training, recruitment and hiring.
- Serve with the powers and duties of the Juvenile Justice/Delinquency Prevention Commission

- The reformatted Commission will select a chair person by majority vote.
- The reformatted Commission will formalize its mission statement.
- The reformatted commission will draft by laws, commission policy
- The newly formatted commission will establish policy and directives for commission staff

OPTION 3 (If department were split into 2 Separate agencies)

A nine-member Probation Independent Oversight Commission reformatted from the existing Probation Commission composed as follows:

- Each Board office to appoints one Commissioner to the adult component
- The Chief Executive Office, (CEO) solicits applications for persons-interested in serving on the Probation Independent Oversight Commission. These applications will be to fill three positions on the commission's Juvenile component.
After receiving the applications, the Chief Executive Office will have a consultant review the applications and interview the candidates for qualification and suitability. Those applications will be ranked and the top five forwarded to the Board of Supervisors for selection of three with majority approval to serve on the Juvenile component of the Probation Independent Oversight Commission.
- One position will be nominated by the Presiding Judge of the Superior Court (Juvenile) and with a majority approval by the Board of Supervisors be appointed to the commission.

ADULT (5 members)

1. Appointee-1st District
2. Appointee-2nd District
3. Appointee-3rd District
4. Appointee-4th District
5. Appointee-5th District

JUVENILE (4 members)

1. Appointee-BoS Majority
2. Appointee-BoS Majority
3. Appointee-BoS Majority
4. Appointee- Nominee of Presiding Judge (Juvenile Court) approved by Board of Supervisors

The commission as a whole is responsible for oversight of the both departments, but should be divided organizationally in two work groups. One work group would be adult and one would be juvenile, the chair would oversee both work groups.

Each work group would have focus for their respective discipline, (adult/juvenile) but still retain comprehensive oversight of both sides. This is important as there are many crossover functions such as state mandated training, Transitional Age Youth, Field Operations as it relates to compliance checks, gang enforcement and DISARM, along with many others.

The reformatted Probation Commission will be authorized by the Los Angeles County Board of Supervisors to provide Civilian Independent Oversight to:

- All aspects of the Probation Department, adult and Juvenile and inclusive of policy, procedures, facilities, custody management, community services, budget, field operations, training, recruitment and hiring.
- Serve with the powers and duties of the Juvenile Justice/Delinquency Prevention Commission
- The newly reformatted Commission will select a chair person by majority vote
- The reformatted Commission will formalize its mission statement.
- The reformatted commission will draft by laws, commission policy
- The newly formatted commission will establish policy and directives for commission staff

Proposed Essential Criteria

- Reputation for integrity, honesty, and character.
- Established record of substantial community involvement and service (identifiable to and respected by the community).
- Demonstrated ability to be fair, impartial, and unbiased (i.e., open to the truth).
- Indicate a willingness to:
 - Invest the time necessary to effectively serve on the Commission, estimated to be as much as 20-25 hours per week, and to include meetings of 2 to 4 hours held at least twice a month; training; time to tour/visit Probation and other facilities; time to prepare for meetings (e.g., review materials) time required to talk things through and consider alternative positions and perspectives; and time to engage in community outreach events with the public, as needed.
 - Complete a training and orientation program which may include overview of Probation Department operations, duties, mission and training programs. May include understanding the use policy and procedures for use of force and firearms; job observation (i.e., “ride-alongs with field operations”); simulations; academy visits; mediation techniques; defensive tactics training; and/or continuing education on rehabilitative best practices and policing issues.
 - Agree, in writing, to follow and adhere to a statement of ethical principles, code of conduct, and conflict of interest standards.
 - Listen to views and perspectives without prejudice, bias, or malice, and to reach decisions that are fair and equitable.
 - Agree, in writing, to maintain absolute confidentiality of confidential or privileged information and to obey all laws protecting individuals’ rights of privacy and confidentiality of records.
 - Facilitate improving community relations and increasing public confidence in the Los Angeles County Probation Department.
- Indicate formal acknowledgement that:
 - The role of the Commission is advisory in nature. It will include the review, analysis, and oversight of LA County Probation Department policies, practices, and procedures to make recommendations for change.
 - The role of Commissioner is not a job and, as such, will not receive a salary or hourly wage.

- Meet the following requirements:
 - Not currently employed by or having been employed in prior 12 months by a law enforcement agency or a probation department.
 - Not currently employed by or having been employed in prior 12 months as a criminal court Judge, Deputy District Attorney, Deputy Public Defender or Alternate Defense counsel,
 - Not currently representing or having represented in prior 12 months a defendant in criminal cases in Los Angeles County.
 - Not involved in active litigation against the County or serving in the role of a court appointed monitor.
 - Not currently or having been employed in prior 12 months by the Probation Department in any capacity, or a service provider such as LACOE, Department of Mental Health, or similar organization where an actual or perceived conflict of interest could arise.
 - Resident of the County of Los Angeles for at least 2 years prior to appointment.
 - Take a Live Scan with the County Department of Human Resources.
 - Submit to a confidential background investigation as deemed appropriate

Proposed Important Criteria

- Demonstrated objective and critical thinking skills the ability to listen to and consider opposing views and perspectives, investigate incidents and allegations, weigh the evidence, and reach impartial and unbiased decisions.
- Demonstrated ability to work well with others of opposing viewpoints who are expressing diversity of thought.
- Demonstrated effectiveness in communicating with clarity, tact, and diplomacy (even when communicating information others do not want to hear).
- Courage to challenge authority, to speak the truth, and to stand up for what is right regardless of external pressure to do otherwise
- Demonstrated ability to engage in open, candid, and non-aggressive dialogue and debate with stakeholders.
- Demonstrated interest in human rights.
- Track record of problem solving collaboratively.
- Compassion for others (i.e., caring about the impact of actions and decisions on those likely to be affected by them).
- Demonstrated high level of personal accountability (an understanding of the gravity of the assignment and task-at-hand; approaching the Commission with a serious attitude and serious thought; a commitment to introspection, and the ability to monitor and check personal biases and prejudices).
- Some working knowledge of community issues and how probation services and policing should and could be – (an understanding of the responsibilities of law enforcement with sensitivity to potential injustice).
- Demonstrated ability to maintain a big picture perspective – ability to focus on systemic issues and policies instead of singular incidents or personal agendas.
- Commitment to justice, equality, and fairness.

Proposed Desirable Individual Characteristics

- Demonstrated track record of achievement or excellence within selected profession.
- Expertise in a related field (e.g., restorative justice, juvenile justice, mental health, public safety, education or custody).
- Demonstration or awareness of cultural differences and competencies (understanding of the diversity of needs and perspectives and willingness to speak for those who cannot speak for themselves).

Other Factors of Consideration in Selecting the Composition of the Commission

At least one or more representatives with:

- Experience with probation/ law enforcement and the criminal justice system/process.
- Experienced in field operations such as compliance checks, DISARM, Gang Investigations/Intervention.
- Experienced in the supervision of adult probationers or parolees.
- Investigative background (especially around law enforcement issues); knowledge of investigative techniques.
- Long term exposure to issues of probation/law enforcement and an understanding of the feeling of powerlessness by the community as well as the challenges of law enforcement today (e.g., previously incarcerated, advocate, family member).
- Experience with the management of juvenile camps and halls.
- Experience with or knowledge of vulnerable incarcerated populations (mental health, drug addicted, homeless, LGBTQ).
- Experience with restorative justice, community based or faith based organizations.
- Experienced with providing mental health services.
- Experienced with providing services to homeless populations.